

**SEVENTH CIRCUIT JUDICIAL COMMISSION  
CLAY COUNTY, MISSOURI  
APPLICATION FOR ASSOCIATE CIRCUIT JUDGE**

***PLEASE NOTE: RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC IF  
THE APPLICANT IS SELECTED AS ONE OF THE NOMINEES FOR THE VACANCY.***

1. State your full name. **David Lee McCollum**



2. State your date and location of birth.

**08/20/1966 Kansas City, MO**

3. State your present occupation, place of work, and job title.

**a) Attorney.**

**b) McCollum & Griggs, LLC 1828 Swift Ave., Suite 302, N. Kansas City, MO 64116.**

**c) Member.**

4. Provide the following information concerning your eligibility for the position of Associate Circuit Judge:

**(a) Are you at least twenty-five years of age? Yes.**

(b) Are you licensed to practice law in Missouri? **Yes.**

(c) Are you a citizen of the United States? **Yes.**

(d) Are you a resident of Clay County? **Yes.**

5. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of an Associate Circuit Judge, including the ability to preside over trials, conduct legal research and analysis, attend court anywhere in the State of Missouri, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court.

**I can perform all duties of the position without accommodation.**

6. State the year of your admission to the Missouri Bar and whether your license is and always has been in good standing. If not, please explain.

**2001. My license is in good standing and has been continuously since it was issued to me in 2001. However, I believe full disclosure is warranted. In late 2012 and early 2013, the Missouri Department of Revenue notified me stating that I had not filed my 2006 state income tax return. This came as a surprise to me because I paid my Federal taxes and honestly believe the tax return was filed. I was in the process of attempting to gather information to provide to Missouri DOR, when I was given notice by the Missouri Supreme Court that my license was suspended on February 4, 2013. At that point I immediately discontinued the dispute process, paid the amount requested by the DOR. I did that on February 4, 2013. I immediately petitioned the Supreme Court of Missouri to reinstate my license. The Office of Chief Disciplinary Counsel stated they had no objection and the Supreme Court issued its order of reinstatement in accordance with Rule 5.28(h) on February 14, 2013. Rule 5.28(h) states, "Any lawyer automatically suspended under Rule 5.245 for three years or less who is reinstated under the Rule 5.28(h) is retroactively reinstated if the lawyer is then in compliance with Rule 6.01 and Rule 15. I was in compliance with both rules. The practical result is that under these rules my license is considered to have been fully active since the date of issuance in 2001. I will be prepared to answer any questions the committee may have regarding this incident to the best of my ability.**

7. List any other states, courts, or agencies in which you have been licensed as an attorney, and state whether your license is and always has been in good standing.

**State of Kansas – Continually in good standing.**

**U.S. Federal Court Western District of Missouri – Continually in good standing.**

**U.S. Federal Court Kansas – Did not renew as I no longer practice in that District.**

8. Provide the following information for all colleges or universities, other than law schools, you have attended:

(a) Name and location of institution

**Park University  
8700 NW River Park Drive  
Parkville, MO 64152**

(b) Dates attended and degrees received

**August 1994 – December 1997  
Bachelor of Science in Accounting with an emphasis in Business  
Management**

(c) Significant activities, achievements, honors, and awards

**Graduated Magna Cum Laude  
Dean's List every semester 1994-1997**

9. Provide the following information for all law schools you have attended:

(a) Name and location of law school

**University of Missouri-Kansas City (UMKC) School of Law**

(b) Dates attended and degrees received

**August 1998- May 2001  
Juris Doctorate**

(c) Significant activities, achievements, honors, and awards

**UMKC Law Review Business Editor**

**UMKC Urban Lawyer Journal Staff**

**UMKC Writing and Research Teaching Assistant**

**AmJur Award (Highest class grade) – Research and Writing**

10. State whether you have ever been suspended or expelled as a student from any school or educational institution. If so, please explain.

**No**

11. List, in chronological order, all non-legal and legal employment you have held post-high school. Include the name and location of each employer, job title, dates of employment, and reason for termination of employment.

**a) United States Navy**

**Petty Officer 3<sup>rd</sup> Class**

**Chicago, IL, Millington TN, Lemoore CA**

**September 1985- September 1989**

**Honorably Discharged**

**b) Trans World Airlines (TWA)**

**Licensed Airframe and Powerplant (A&P) Mechanic**

**Overhaul facility at Kansas City International Airport**

**601 Brasilia Ave. Kansas City, Mo 64153**

**September 1989 – 1997 (employment was staggered due to intermittent layoffs of low seniority union members).**

**Laid-off; I finished my undergraduate degree and enrolled at UMKC Law School while I was laid off. I declined the invitation to return to TWA so that I could complete law school.**

**c) United States Gypsum Co.**

**1115 Armour Rd.**

**North Kansas City, MO**

**Facility Maintenance**

**July 1994- 1995 (approximately).**

**Left to return to TWA after lay-offs**

**d) H&R Block**

**4400 Main Street  
Kansas City, MO 64111  
Staff Accountant  
1997 – August 1998  
Left when I started UMKC Law School.**

12. Describe the nature and extent of your experience as a practicing attorney in the trial and appellate courts, and explain how such experience demonstrates the quality of your legal work.

**I have been a private practitioner since I received my law license in September of 2001. I began my career as a solo practitioner with a general practice in Clay County, MO in 2001. At that time my work consisted mainly of criminal, traffic, domestic, wills and trusts, and personal injury. I practiced in virtually every municipal court and circuit court in Clay County and the greater Kansas City metropolitan area. I conducted bench trials in municipal, associate circuit court and circuit court. Those trials consisted of mainly traffic and criminal violations, domestic issues and orders of protection.**

**Then, in October 2003, I formed an LLC with Annette Griggs in order to focus on civil litigation. Since that time, I have primarily been representing plaintiffs in a wide variety of personal injury matters as well as civil insurance litigation. I have been the first chair and second chair trial counsel in jury and bench tried cases in circuit courts in Jackson, Clay, Lafayette, and Johnson counties. I have also resolved MoDot cases for my clients before arbitration panels. Through the years I have settled hundreds of cases through negotiations and mediations.**

13. Provide a representative list of at least ten cases in which you served as the primary attorney at trial or an administrative hearing. The list should include the style of each case, court or administrative agency, identification of your client, and the nature and date of disposition.

**Louiselle v. Mitchell 10CY-CV13874  
Clay County Circuit Court Div. 5  
Client: Plaintiff Song Louiselle  
Jury Verdict for Plaintiff  
\$4,000.00**

**Smith v. Bush 10LF-CV00715**  
**Circuit Court of Lafayette County**  
**Client: Plaintiff Kenneth Smith**  
**Verdict for Plaintiff**  
**\$2,268,979.65**

**Muller v. Muller 02CV82129**  
**Platte County Circuit Court**  
**Client: Petitioner Robert Muller**  
**Robert Muller given primary physical custody of children**  
**and 02cv82129-01**  
**Contempt of Court**  
**Respondent Found in Contempt**

**In re: Belveal v. Richardson JU0504-10J**  
**DeKalb County Circuit Court**  
**Client: Natural mother Misty Richardson**  
**Child was returned to mother with monitoring by DFS**

**Harris v. MoDot 0816-CV00420**  
**Jackson County Circuit Court**  
**Client: Plaintiff Bobbie Harris**  
**Wrongful Death**  
**Arbitration award to Plaintiff \$100,000.00**

**Brown v Allinder 0916-CV40080**  
**Jackson County Circuit Court**  
**Client: Plaintiff Angelia Brown**  
**Personal Injury – Disc herniation**  
**Jury Verdict for Plaintiff**  
**\$75,000.00**

**Decuyper v. Wall 08CY-CV100360**  
**Clay County Circuit Court**  
**Client: Respondent Amy Wall**  
**Tried by the court - Order of Protection denied.**

**Spencer v. Friedel 12CY-CV09691**  
**Clay County Circuit Court**

**Client: Plaintiff Edmond Spencer**  
**Personal Injury**  
**Other final disposition**  
**Settlement paid by Federal Express - \$1,000,000.00**

**Confidential v. Confidential –**  
**Jackson County Circuit Court – 2008**  
**Client: Plaintiff Confidential**  
**Personal Injury - Products liability**  
**Settlement of \$2,125,000.00 shortly before trial.**

**Lull v Surry, et al., 1116-CV00212**  
**Jackson County Circuit Court 2012**  
**Client: Plaintiff Norberta Lull**  
**Wrongful Death**  
**Tried by the Court \$500,000.00 compensatory \$500,000.00 Punitive damages**

**Clough v. Taylor, 11CY-CV04226**  
**Clay County Circuit Court: – 2011**  
**Client Plaintiff Heidi Clough**  
**Wrongful Death**  
**Settlement for \$1,150,000.00**

14. If you have appellate experience, provide a representative list of cases in which you served as the primary attorney on appeal. The list should include the style of each case, appellate court or administrative agency, identification of your client, and the nature and date of disposition.

**Bolander et. al., v. Saint Lukes, et. al., SC93906**  
**Missouri Supreme Court 2015 opinion (Consolidated 6 cases from Livingston County Circuit Court)**  
**Clients: All Plaintiffs**  
**(Several law firms combined to assist in the prosecution of this case. Our firm worked on these cases at the trial court level for approximately five years before the appellate process).**  
**Type of Cases: Wrongful Death**  
**Supreme Court ruled 4-3 against our clients. The case hinged on whether a wrongdoer could fraudulently conceal and actively cover up**

**their actions and invoke the wrongful death statute of limitations after the 3 year period.**

**Motion for Rehearing: Pending**

**Delana, et. al. v. CED Sales, Inc. et. al., SC95013**

**Missouri Supreme Court-Direct Appeal**

**Clients: All Plaintiffs**

**Currently pending**

15. If you are serving or have served in a judicial capacity, describe the nature and extent of your judicial responsibilities, the types of dockets handled, and any special expertise developed.

**No.**

16. If you are serving or have served in a judicial capacity, provide a representative list of at least ten cases over which you have presided to completion. The list should include the style of each case and the nature and date of disposition.

**Not applicable.**

17. If you do not have significant experience in litigation or in a judicial capacity, describe any other legal experience or accomplishments in the legal profession that may qualify you to serve in the position of Associate Circuit Judge.

**Not applicable.**

18. List all bar associations and law-related organizations of which you are or have been a member, with any offices held and dates of membership.

**Kansas City Metropolitan Bar Association 2001-Present**

- **Solo Practitioner/Small Firm Committee 2010-Present**
- **Tort Advisory Committee 2010-Present**

**Missouri Association of Trial Attorneys (MATA) 2002-Present**

**Association of Women Lawyers – member 2004-Present**

**Clay County Bar Association – member 2001-Present**

**American Association for Justice 2011-Present**



19. List any published articles or books you have authored and any significant programs or events for which you served as a primary speaker.

**CHANGES TO DRAM SHOP LAW MAY BE ONLY A SHOT AWAY:  
Nokes, et al. v HMS Host USA, LLC, WD73055 – Published by *The Link*  
<http://www.awl-kc.org>, September, 2011, Vol. 23, #3.**

**STARTING AND MANAGING YOUR OWN LAW PRACTICE:  
UMKC-MATA STUDENT LUNCHEON - 2011**

20. Do you now or have you ever held any elective or appointive public office or position? If so, please explain.

**No.**

21. Provide the branches and dates of any military service or other public service not otherwise covered in this application. If discharged from the military, state whether the discharge was other than honorable.

**I was in the United States Navy and served as a Petty Officer 3<sup>rd</sup> Class from September 1985- September 1989, at which time I was honorably discharged.**

22. Describe your community and volunteer service activities, including any organizations (outside the legal profession) with which you are affiliated and any offices held.

- ◆ **University of Missouri-Kansas City- Inn of Courts**
- ◆ **Pro Bono work for the Missouri Public Defender's Office**
- ◆ **NBC Action News "Ask A Lawyer Night" through KCMBA-Young Lawyers Section**
- ◆ **Habitat for Humanity**
- ◆ **Salvation Army**
- ◆ **Harvesters**
- ◆ **Henning Family Foundation Volunteer to Assist with Golf Event and Named Sponsor.**

23. List any significant honors or awards you have received that otherwise have not been covered in this application.

- **2012- 2015 Missouri & Kansas Super Lawyers**
- **2011 Missouri & Kansas Rising Stars**
- **2011 Kansas City AWL – Honored as Law Firm of the Year**
- **2011 Best of the Bar - Personal Injury, Kansas City Business Journal**

24. Are you delinquent in the payment of any federal, state, county or city taxes? If so, please explain.

**No.**

25. Have you ever been convicted of a misdemeanor or felony or received a suspended imposition of sentence in any federal, state, or military court? If so, please explain and provide the style of the case (including case number), the court, the date of the conviction, and the sentence or fine imposed.

**No.**

26. Have you ever been held in contempt of court? If so, please explain.

**No.**

27. Have you ever been sued by a client or been a party to any litigation, other than as a guardian ad litem, plaintiff ad litem, or defendant ad litem? If so, please explain and provide the style of each case, the court, your role as plaintiff or defendant, and the nature and date of disposition.

**I have never been sued by a client. However, I was divorced in 2006 and was a party to that litigation. I was then sued for a bill arising from the divorce which was subsequently resolved in 2010.**

**I am also a party to a lawsuit with Valerie Vance, an ex-partner of mine and Annette Griggs'. Our partnership ended in 2004 and the lawsuit has been going on since 2007. This case is currently being appealed, once again, by Ms. Vance after a directed verdict was issued against her in a jury tried case before Judge Dale Youngs.**

**McCollum v. McCollum 7CV-105010363  
Respondent in a Divorce**

**Consent decree entered 3/23/06**

**Access Group v. McCollum 09CY-CV10597**

**Respondent**

**Dismissed by parties 7/21/2010**

**Vance v. Griggs et. al., 1316-cv16027**

**(Consolidated with other cases)**

**Respondent**

**Directed verdict against Plaintiff Vance and in favor of all respondents.**

**Case is currently being appealed by Vance.**

28. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? If so, please explain.

**No.**

29. If you are or were a member of the judiciary of the State of Missouri, please state:

**Not applicable.**

- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? If so, explain the details of such breach and the date, nature, and duration of the discipline imposed.
- (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary. If so, explain the details of such cause and the date and nature of the discipline imposed.
- (c) Whether, to your knowledge, you are the subject of a complaint that is currently under investigation by the Commission on Retirement, Removal and Discipline. If so, explain that nature of such complaint and the status of the investigation.
30. Provide any additional information that you consider relevant to your qualifications for the office of Associate Circuit Judge.

**I have practiced law in a variety of areas and have a deep understanding of many different aspects of the law. I started and maintained a private law practice from the very first day I received my license to practice law. Through that process I have in gained in-depth**

**experience in managing complex cases, dealing with clients, opposing counsel and judges.**

**I have a deep appreciation and respect for judicial branch of the government. Judges serve the community in which they sit and I would treat the position just that way. I would work for the people of the State of Missouri. I would work for the lawyers that practice before me as well as the pro se litigant that enter my courtroom. I would treat every member of the bar and the public with respect, dignity and fairness.**

31. List the names and contact information (title, mailing address, telephone, and email address) of the **five** persons whom you have requested to provide letters of reference regarding your character and judicial qualifications. Do not list as a reference any judge who currently sits in the Seventh Judicial Circuit.

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